



PTO/SB/21 (09-04) (AW 10/2004)

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2137
9213**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 5 + 2 References
+ 1 Chinese Office Action

| | |
|----------------------|-------------------------|
| Application Number | 10/017,965 |
| Filing Date | December 7, 2001 |
| First Named Inventor | Mitsuaki Oshima, et al. |
| Art Unit | 2137 |
| Examiner Name | Paul E. Callahan |
| Attorney Docket No. | MTS-520US4 |

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
 - ☐ Fee Attached
- ☐ Amendment/Reply
 - ☐ After Final
 - ☐ Affidavits/Declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/
Incomplete Application
 - ☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a
Provisional Application
- ☐ Power of Attorney, Revocation,
Change of Correspondence
Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
 - ☐ Landscape Table on CD

- ☐ After Allowance Communication
to TC
- ☐ Appeal Communication to Board
of Appeals and Interferences
- ☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply
Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please
identify below):

PTO Form 1449
2 References
1 Chinese Office Action
Return Postcard**Remarks:****SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

| | | | |
|--------------|-------------------|------------------|--------|
| Firm Name | Ratner Prestia | | |
| Signature | | | |
| Printed Name | Jack J. Jankovitz | | |
| Date | January 3, 2005 | Registration No. | 42,690 |

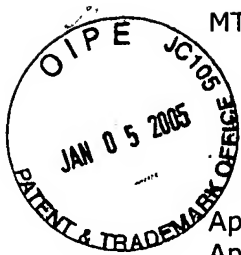
CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

| | | | |
|-----------------------|-------------------|------|-----------------|
| Signature | | | |
| Typed or Printed Name | Jack J. Jankovitz | Date | January 3, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 10/017,965
Applicant: Mitsuaki OSHIMA, et al.
Filed: December 7, 2001
Title: MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK
ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK
AND METHOD OF PRODUCING OPTICAL DISK
TC/A.U.: 2137
Examiner: Paul E. Callahan
Confirmation: 8891
Docket No. MTS-520US4

SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of the references listed on the 1449 form is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following reference is not in the English language:

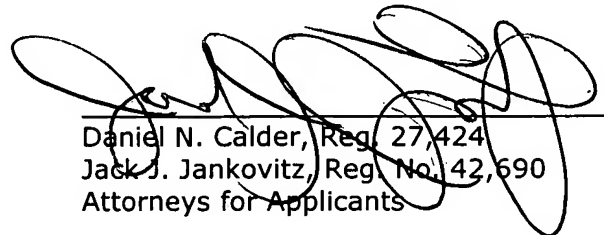
1) CN 1059222A

Reference 1) was cited by a foreign patent examining authority in connection with the examination of a counterpart of the above identified application. A copy of this Chinese Official Action, with English language translation, indicating the

degree of relevance determined by the foreign patent office, are submitted herewith. MPEP 609 IIIA(3), second paragraph.

This Information Disclosure Statement is being filed within three months of the filing date of an RCE. No first Official Action has yet been received and it is presumed that none has yet been mailed. No fee or statement is required. 37 C.F.R. § 1.97(b).

Respectfully submitted,



Daniel N. Calder, Reg. 27,424
Jack J. Jankovitz, Reg. No. 42,690
Attorneys for Applicants

JJJ/ds

Enclosures: PTO Form 1449 (2 sheets)
Chinese Official Action for CN 1059222A
(#2) References
Transmittal Form

Dated: January 3, 2005

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

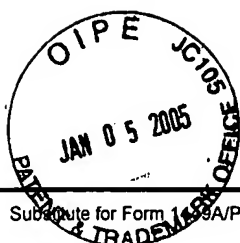
The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

January 3, 2005



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(AW 08/03)

Substitute for Form 138A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

SHEET 1 of 2

Complete if Known

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|----------------------|-------------------------|
| Application Number | 10/017,965 |
| Filing Date | December 7, 2001 |
| First Named Inventor | Mitsuaki Oshima, et al. |
| Art Unit | 2137 |
| Examiner Name | Paul E. Callahan |
| Attorney Docket No. | MTS-520US4 |

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date (MM-DD-YYYY) | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-----------------------|--------------------------|--|----------------------------------|--|---|
| | | Number - Kind Code ² (if known) | | | |
| | | US-5,309,421 (w/ counterpart CN 1059222A) | 05-03-1994 | FUJISAWA, Hirotooshi | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date (MM-DD-YYYY) | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|-----------------------|--------------------------|---|----------------------------------|---|--|--------------------------|
| | | Country Code ³ - Number ⁴ - Kind Code ⁵ (if known) | | | | |
| | | CN 1059222A (w/counterpart U.S. 5,309,421) | 03-04-1992 | | | <input type="checkbox"/> |
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| Examiner Signature | | Date Considered | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).

²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

⁶Applicant is to place a check mark here if English language translation is attached.

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Substitute for Form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 2 of 2

Complete if Known

| | |
|----------------------|-------------------------|
| Application Number | 10/017,965 |
| Filing Date | December 7, 2001 |
| First Named Inventor | Mitsuaki Oshima, et al. |
| Art Unit | 2137 |
| Examiner Name | Paul E. Callahan |
| Attorney Docket No. | MTS-520US4 |

NON-PATENT LITERATURE DOCUMENTS

[illegible]

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|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

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¹Applicant's unique citation designation number (optional).

²Applicant is to place a check mark here if English language translation is attached.

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SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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